



DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES

Policy No.: DOC 5.1.1	Subject: OFFENDER EMPLOYMENT
Chapter 5: OFFENDER PROGRAMS	Page 1 of 4
Section 1: Work Programs	Revision Date:
Signature: /s/ by Director Rick Day 11/17/97	Effective Date: April 1, 1998

I. **POLICY:**

It is the policy of the Department of Corrections to provide as many offenders as possible the opportunity to be employed productively in facilities or industries. Assignments must be consistent with the offender's classification, security, and supervision requirements and the needs of the program or facility.

II. **AUTHORITY:**

53-1-203, MCA. Powers and Duties of the Department of Corrections

53-1-301, MCA. Institutional Industries

53-1-304, MCA. Supervision of Industries Programs

53-30-131, MCA. Prison Industries Training Program - Purpose and Scope

III. **DEFINITIONS:**

None.

IV. **PROCEDURE:**

A. **Assignments**

All offender assignments/reassignments will be in accordance with housing classification assignments pursuant to DOC 4.2.1, Offender Classification Procedures, and local classification policy.

To the extent possible, every offender should have some form of assignment in the facility. These assignments will afford the offender the opportunity to attend school to enhance their

Policy No.: DOC 5.1.1	Chapter: Offender Programs	Page 2 of 4
Subject: OFFENDER EMPLOYMENT		

academic functioning level, or to participate in vocational programming or work.

Assignments should afford offenders the opportunity to learn job skills and develop good work habits and attitudes that will benefit their occupational needs upon release. Attempts will be made to assign qualified offenders to meaningful work assignments consistent with their ability, interest, medical status and the needs of the facility or program. Offender eligibility for job assignment will be established in local policy.

B. Medical Issues

A medical clearance check must be made and documented in the offender's central file prior to work assignment. Medical staff may impose additional health status criteria as deemed necessary to ensure all job assignments are in the best interest of both offender and the facility or program, such as the following examples:

- \$ Offenders medically restricted from heavy lifting will be restricted from jobs that may require that form of work.
- \$ Offenders with communicable diseases will not be assigned to work in a food preparation area.
- \$ Offenders with a history of seizure disorder will not be permitted to work with equipment, in high places, or in mechanical chases.

C. Work Conditions

To the extent possible, the facility or program workplace should resemble community working conditions in regards to variety, general work conditions, and hours. Job supervisors will impose quality controls on all work performed. Offenders will not be assigned to Make - Work@ projects unless the work assignment is a result of disciplinary action or an earned privilege program. Offenders will not be placed in assignments that require more than 60 hours per week. Extended hours for seasonal work or emergencies will be permitted based on the needs of the facility. Offenders may not be assigned as nurses or care providers in a medical area but may work as personal care attendants (such as provide assistance to wheel-chair bound offenders). Offenders may not serve food to other offenders housed in locked status.

Policy No.: DOC 5.1.1	Chapter: Offender Programs	Page 3 of 4
Subject: OFFENDER EMPLOYMENT		

No offender may be assigned to a clerical assignment that would place him/her in a position to work on or be in contact with confidential or security records. If an offender is assigned to a clerical position to work on fiscal records, the facility must have in effect accountability checks and balances.

Restricted assignments include but are not limited to involvement in the admission, discharge, records, booking, classification, and medical functions. Restricted assignments must be approved by the Warden, Superintendent, or Program Manager.

D. Offender Pay

Each facility/program will develop offender pay policies in accordance with DOC 5.1.2, Offender Pay. The Warden, Superintendent, or Program Manager may establish categories of unpaid jobs.

E. Special Housing

As a related element of a job, an offender may be assigned to special or designated housing areas if it is deemed necessary by the Warden, Superintendent or Program Manager. Examples of these assignments are offenders working as firefighters or boiler operators.

F. Industries Programs

The Director's Office may authorize industries programs in specific facilities. Such programs will operate under the authority of the Director, the MCE Management Team and the supervision of the specific MCE Manager.

Offender assignments to the Industries Program will be made through the normal classification and assignment process. In the event that an Industries Program needs to employ an offender with special skills, every reasonable effort will be made to secure an assignment for that offender based on the security and safety needs of the facility. Refer to DOC 5.2.1, Correctional Enterprises for specific information on operations of MCE.

Policy No.: DOC 5.1.1	Chapter: Offender Programs	Page 4 of 4
Subject: OFFENDER EMPLOYMENT		

G. Private Industrial Operations

Offenders may be assigned to work in a private sector industry in accordance with 53-30-132, MCA.

H. Safety Issues

All job assignments will be operated in accordance with applicable federal, state, and local health and safety standards. The facility/program safety office will maintain documentation to provide periodic inspections as outlined in DOC Policy 3.2.4, Safety Inspections.

I. Handicapped Offender Employment

Work programs will accommodate handicapped offenders to the extent reasonable.

J. Offender Assignment and Dismissal

Local policy will establish procedures for the assignment to and dismissal from work assignments.

K. Other

No section contained herein is to be construed to operate on any provision of law or regulation governing work release, study release, or other community-based programming, or to imply an offender has a right to participation in any of these programs.

V. CLOSING:

Questions concerning this policy shall be directed to the immediate supervisor.